The traiting arbutus, or mayflower, grows abundantly in the wicknity of Plymouth, and was the first flower that greeted the Playing after their fearful Winter.

San Mayflower! watched by Winter stars, And nursed by Winter gales, With petals of the sleeted spars, And leaves of nozen sails!

What had she in those dreary hours, Within her ice-rimmed bay, In common with the wild word flowers, The first sweet smiles of May? Yet, "God be praised!" the Pilgrim said, Who saw the blossoms peer Who saw the blossoms peer Above the brown leaves, dry and dead, "Behold our Mayflower here!"

"God wills it: here our rest shall be, Our years of wandering o'er, For us the Mayflower of the Sea Shall spread her sails no more." Oh! sacred flower of faith and hope!

Ye bloom on many a birchen slope, In many a pine-dark gien. Behind the sea-wall's rugged length, Unchanged, your leaves un'old, Like love behind the manly strength

Of the brave hearts of So live the fathers in their sons, Their sturdy faith be ours, And ours the love that overruns

Its rocky strength with flowers. The Pilgrim's wild and wintry day Its shadow round as draws; The Mayflower of his stormy bay, Our Freedom's struggling cause.

But warmer suns ere long shall bring frozen sod; And, through dead leaves of hope, shall spring
Afresh the flowers of God!
J. G. W.

NEW PUBLICATIONS.

SOCIAL SCIENCE.

ENTRODUCTION TO SOCIAL SCIENCE. By GEORGE H. CALTERT. 12mo., pp. 148. Redfield. The general purposes and methods of Social Science are set forth with admirable clearness and discrimination in this impressive volume. The author is a man of sound philosophical culture, of uncommon literary attainments, and a wide experience of society both in this country and in Eurepe. His previous works have established his reputation as an acute observer, an energetic and considerate thinker, and a writer of unusual compass and force. Disconnected with the various practical enterprises for social reform which have been attempted in the course of the last fifteen years, he treats the present subject in a purely scientific point of view, analyzing the laws of human progress, exposing the defects of prevalent iastitutions, and describing the conditions of future harmony and happiness. His words, accordingly, are entitled to great weight in the estimation of right minded men. No one can peruse his thoughtful volume without receiving suggestions of equal freehness and value, kindling new hope in the future of society, or at least exciting a deeper interest in the profound problem of which it treats.

In the commencement of his work, Mr. Calvert illustrates the guarantee of progress founded on the natural love of knowledge. The steps by which humanity is elevated are the mental perceptions of facts and principles. We are men in preportion to the extent and accuracy of our knowledge. This is the meaure of our power. We are not, however, to understand by knowledge the mere accumulations of memory, but an acquaintance with the nature, relations and laws of things -s mowledge imbibed by sympathy, as well as appropriated by the intellect-a knowledge wrought into the texture of the mind by genial and active incorporation. Napoleon, for instance, had knowledge only of material forces. In the moral world, he was a stranger and an ignoramus. He fully appreciated the power of human selfishness as an instrument for his designs, but he had no perception of the superior potency of human nobleness as an instrument for good. Hence his career was but a splendid failure, his greatest deeds sprung from personal estentation, his memory feeds only a sensitive national vanity, and his example has never ceased to be a curse to France. Byron was another example of the destitution of knowledge in man's moral nature. He was a connoisseur in the lower passions of humanity, but could never comprehend the disinterested impulse of Shelley to save the life of his friend by the exposure of his own. Shakespeare, on the contrary, had an intuitive genius for reading the human heart in all its emotions. He knew the wealth and fervor of affection-he knew the keenness and subtlety of intellect. Hence his power to mold the fiery elements of humanity into his living creations of character. But, like Shakespare, all men draw their strength frem their knowledge. The acquisition of knowledge depends on our quenchless thirst for novelty. Life itself is but the search for something new. The course of history is but the contest between the present and the past. Humanity has grown by deeper intuition of divine laws. Great men revealed new great truths Roger Bacon, Leonardo da Vinci, Paracelsus and their associates laid the foundation of experimental science and modern mechanics. Copernious, anticipating Kepler, Galileo and Newton, shattered the fabric of ancient astronomy and launched the earth on its orbit. The fiery heart of Dante gushed forth in a wail of musical woe, to be followed in a few centuries by the melodious joys of Shakespeare. Leonardo and Michael Angelo, Raphael and Rubens, and the majestic works of gothic architecture gave a new expression to plastic beauty. Wick:iffe and Huss spoke bold words for a new freedom, which found an echo in the Titanie voice of Martin Luther. Thus by perennial accessions of newness has the world advanced from the weaknesses of its infantile state. The contact of genius with nature has strack out new light for the invigoration and enlargement of humanity. We stand on an eminence composed of all the truths, all the discoveries, all the inventions that have been reached in the past life of the race-an eminence on which first str ke the rays of new truths as they rise, sunlike, from the bosom of the Infinite.

But we cannot remain stationary on this eminence. Time, heretofore so prolific, has not suddealy become barren. The principles which the past has nurtured have not yet borne their best fruit. The earthly condition of man is not completed. The seeds of truth are not all spent. The granary of God is not exhausted.

In the present epoch of human progress, man's higher nature craves a free, spontaneous development. All living things are formed from within The germ of each blade of grass determines the quality of the whole. But outward agencies are indispensable for the nurture of this inborn endowment. The blade of grass must have earth, air, water, supshine. The union of these two elements is essential to the accomplishment of Nature's purposes in each of her myriad forms of life. Every fuite existence implies relations with other existspees. The higher the being, the more numerous, various, and subtle are its relations and dependenoles. Man is the most striking example of this

law. By the necessity of his nature, he is ordained both to give and take. He is at once a dispenser and a recipiont, and the more he dispenses and receives, the higher is his condition, the greater his efficiency as man. But the most subtle and intimate relations of man are with his fellow-man. Hence the importance of social laws. Hence, in every age, the lawgivers of nations have been clothed by universal opinion with peculiar dignity and sacredness. Moses, Solon, Nums and Alfred have held the most exalted place is the admiration of centuries. But the profoundest lawgivers have always fallen short of their purposes and hopes. Laws made by men ever lack depth. The best of them reach only to the surface of man's nature. They are conditional, not absolute; they come from the outside and act on the outside; they are preventive and negative, not organic or constructive, and can never establish the kingdom of justice and brotherhood among men. Human laws are prohibitions made valid by force; they have their due place, and are thus beneficent and healthful. While they exist they should be obeyed, until. either peaceably or by the force of revolution, they are annulled. But they cannot be made substitutes for the divine laws, whose attractions are sustained by freedom. The moral sentiments of man lead him to seek a deeper fellowship than can be built up by artificial legislation. Humanity aspires to a higher plane than that of mere municipal and eivic rule. It demands another kind of order than that which reigns at Warraw or at Washington. Men can no longer exercise dominion over man. We must seek for the sublime, all-sufficing laws which are written in our nature by the hand of God. Man is not permitted to invent laws-he must discover them. Machinery for carrying the laws of Nature into practical effect is the most he can invent. All governments, constitutions, edicts, are but approximations to such machinerymore or less successful efforts to realize the plan of Nature. Man can no more initiate laws for human government than he can for animal or vegetable government-for the fattering of sheep or the ripening of barley. His function is executive and administrative, not legislative. His highest function is to ascertain the laws of nature, and then direct and promote their execution. What we call laws, and obey as such, are merely temporary expedients for accomplishing the supposed designs of Providence. All lawgivers have legislated on some theory of human nature, according to their preconceptions of the capacity and destiny of man. But these preconceptions in the earlier stages of human development must, of course, be imperfect, and only partially accomplish the ends of unity and harmony. Science, on the contrary, is one and absolute, embracing all topics. and adapted to all cases. But preceding the light of science are shadows, that is, darkness partially illuminated. The eternal truth of God, before its discovery by man, is anticipated by guesses at truth, buman fancies and hypotheses, denoting teadencies toward truth, longings for it, and dim presentiments and perceptions of it. Thus before chemistry, came alchemy-before physic, magicbefore astronomy, astrology-before the inductive philosopy of the mind a swarm of metaphysical conceits and inventions. Now, to solve the great question of this age, we need the crowning science of society-a science, net founded on theory or sentiment, but growing out of a profound analysis of human nature. The evils of our social system-the pauperism and moral debasement, the falsehood and the fraud, the antagonisms and the partialities-which under the present organization of society keep pace with the growth of industry and wealth, can no more be cured by legislation, or by didactic or doctrinal discussions, than the earth can be made fruitful by natural magic, or the ocean pavigated by astrology. For this stupendous work a new discovery is needed. Has such a discovery been made? Mr. Calvert answers as fol-

Into space, far beyond the horizon of his age, the genius of one hold man stretched, and beheld, what to all others was invisible, a great continent lying behind the vail of waters. Behind the vail of time there sleeps a new moral and rocial world, the existence of w was as palpable to the intuition of Fourier, a moral Co-lumbus, as was the new continental world to the creative vision of the Genoese. To this shining world, sought for and hoped for through long ages by trastful, ear-nest natures, the path has been pointed by this vilified Frenchmen, whose great thought, stimulated by dis-gust for fraud and by love of justice, discovered that the law of attraction, discorned by Newton to rule the planetary sphere, is likewise the preordained rule of the social sphere; and demonstrated that, under the full sway of this law—the force of which has always been partially recognized—human relations may be so full sway of this law—the force of which has always been partially recognized—human relations may be so ordered that where there is now antagonism there shall be cooperation; where lethargy, vivacity; where punperism, plenty; where vice, purity; where contention, union; where feebleness, strength.

The origin of great discoveries is simple, and apparently often accidental. Nature does her beautiful and mighty work in our sight: it is for us, greatly endowed with intellect and capacity of freedom, to learn from her open lesson, tracing a fact to its cause, a phenomenen to its law. The first thought of the possible rower of steam is said to have germinated from seeing

nomenen to its law. The first thought of the possione power of steam is said to have germinated from seeing the lid rise of a boiling tea-kettle. In the fall of an apple flashed on the laboring mind of Newton the law of gravitation. A French boy was punished one day by his parents (who were traders in cloth in the town of Besançon) for having in the shop told the truth. The possible nature and clear intelligence of the boy was Besatcon for naving in the sale upright nature and clear intelligence of the boy was revolted by what seemed to him, and was, a mon-trous act. Child as he was, he made a yow against come. merce; and this small incident gave the impulse which moved his adult mind to seek for the means of intromoved his adult mind to seek for the means of introducing truth and loyalty into commercial relations—which search led to the discovery of the law destined to harmonize and elevate all human relations. In the vicissitudes of the French Revolution of 1793 he lost his small patrimony, while yet a young man, and thenes forward maintained himself chiefly as a commercial or exchange agent—having refused a good public employment, the offer of which his ability had drawn to him—in order that he might keep freedom and leisure enough to pursue his high studies.

Starting from the religious conviction that all the powers of man, his feelings and his intellectual capacities, were by the Creator designed to co-work harmonion-ty, joyfully and efficiently, for the full satisfaction of man's whole nature, and that men might in ex-

moniously, joyfully and efficiently, for the full satisfac-tion of man's whole nature, and that men might in ex-ercise of all these, their inborn powers, cooperate to-gether zealously and peacefully and successfully, to the end of general contentment and manifold happi-pess; his life's aim was to discover the method where-by this beneficent divine will might be fulfilled on earth, and the great wrongs and discovis of human life effaced. Uniting rich conscion-ness and intuitions with the keen observation of the practical analytical intel-lect of a man who earned his daily bread by daily work, he wrought out within himself the lofty belief, that in the human constitution is the spring to lift man-kind out of the conflicts, the francis, the oppressions witch new in the best societies depress and demoralize kind out of the conflicts, the frands, the oppressions which new in the best societies depress and demoralize it. He discerned and felt the right—the God derived right—of men to the healthful presession and enjoy ment of their whole life; and through the truth of his sympathies, and the reach of his intelligence, by meintation and observation, he discovered the mean of making valid this great human right. Living in religious and powerly he designed his heins to the as Bere ever followed by man.

The solution of the social problem is to be found n the scientific organization of industry. In order to transform society from a purgatory to a paradise, the relations of labor must be so constituted that each person shall fied a sphere of activity adspted to his capacity and endowments-hence it is necessary to discover the law of work. To erganize labor so that every man's and every woman's mut-

s profound writings were neglected and himself was precognized, save by a few zealons disciples, and in 37, at the age of 65, be was found one morning, in

his humble lodgings in Paris, dead on his knees by his

titudinous desires and aptitudes for it shall meet with surple exercise, and thus manhood and womanhord be strengthened, enlightened, and beautified, until the human will shall be at all times and in all things coincident with the Divine Law-such is the aim of the Socialist

The measure of a community's position on the scale of humanity is work. Pass from the center to the north of Africa-thence through Italy and into France and England-and you run up from the bottom of the scale of human condition to the top. In Central Africa, humanity is inactive, stagnant, and consequently, savage. In Barbary, it shows somewhat more of creative life, and in Italy shines with the lively bues of various action. In the centers of modern civilization, in Paris and Lordon, it sparkles with the heat of quick intellectual motion. The multiplication and enlargement of work congregate men more and more closely together. Nothing massive and complete, nothing delicate and exquisite, can be produced except through cooperative labor, through association. A large city is a large association, but combined in an arbitrary, partial, and imperfect manner. Organization is the first condition of healthy life and activity. But organization implies a whole made up of separate parts or organs, in obedience to an integral law-a whole constituted in conformity with innate vital fitness. It involves ecoperation among the parts forming the whole-s willing, free, active cooperation or working together. But this law is not realized in our present industrial arrangements. Nowhere is is there a free working together of the parts forming the whole. Men do not work according to their aptitudes; few of their capacities for work find scope to work; they do not work harmoniously one with the other and one with all; they do not work under the caropy of an all-presiding justice. Cooperation among them is comparatively loose and feeble, and hence the ends of work are but partially fulfilled, the objects of life but imperfectly attained. "Look beneath the busy surface, and you perceive that these two or three hundred thousand, congregated in a city, for the convenience of working tegether, work nevertheless not freely, not willingly, often hostilely; each one, moreover, working forever in one monotonous track, the same from day to day, and month to month, and year to year; the clerk ever behind the deck, the builder ever with one set of tools, the lawyer ever with his pleas and precedents, the shoemaker ever at his last, the smith ever over his furnace; and so through the long roll of occupations that unite to swell the buge current of civilized industry. Work is mostly irksome, laborious, fstiguing, distasteful, because each man works during life at one work, which, while it wearies the few faculties engaged is, at the same time, further distressing, from the upnatural idleness of so many others. To sit in one posture for several hours, is fatiguing; to look at one object all day would dull and wear out the sight; to hear one tune for hours, at first offends the ear, then deadens its sensibility, and yet, from week to week, and year to year, we work at one work; whereby we starve two-thirds of our faculties, and overstrain the other third. Hence, enpui, discontent, one-sidedness, irritability, inefficiency-and thence immorality, misery, crime."

But let us see whether work cannot be so order ed that the intellectual activity shall be increased a hundred fold, the immense product of industry be quadrupled and the moral condition purified and orightened infinitely. Men, as they expand in culture, crowd themselves into towns for the pro-motion of work by increasing the facilities of cooperation. Now, take another step and bring the workers under one roof.

workers under one roof.

Suppose eighteen hundred or two thousand people, instead of being housed under three hundred roofs, in a small town, each with its separate kinchen and household, were united in one vast building, five times the size of the Astor House, where each individual or family should find lodings according to desire and means, and every room should be lighted, warmed, and watered from common reservices; and all the immater. and every room should be lighted, warmed, and wa-tered from common reservoirs; and all the inmates should be served from one kitchen at public tables or in parties, or individually, at different hours, to suit all. From the experience we have in fac-tories and hotels, we know that through this con-ceptration, large economies might be made; but nothing more. Hereby work is not organized. Two they are under three hundred roofs, or as they are in a vast hotel. The one buge, comprehensive building, is only a mechanical condition of organization, bring-ing the workers close at hand to one another for con-centrated action. The mere gain of economy would not suffice to keep them together; for to most, if not not suffice to keep them tegether; for to most, if not to all, this clore contact without close sympathy, without lively corestant cobperation in work, would be repugnant. Except through the attractions of pursuits in common, people will not continue united, even in the partial union at present existing. Work is the only bond that will bind men permanently, contentelly, clo-ely together. By developing work, you strengthen union. By perfecting work, you create and cherish bactherhood. Thus, it is only by this perfecting that you can compass the conditions needed for the dominance among men of Christian love.

How are these two thousand persons to be held together-converted from a mere congregation of human units into a highly organic oneness ! To knit them into a complex but most compact web of unity -to harmonize all interests while multiplying and enlarging them-to annul all discords, or rather out of many discords to make one grand concord, so that these two thousand shall not only be willing to remain together, but shall so delight in being together that no inducement or temptation could draw them sounder—this is the problem which no merely human ingenuity can solve. Nothing arbitrary, nothing conventional, can here be of avail. The most cunningly devised constitution and by-laws would be as powerless to solve this problem as would be the votes of a town-meeting to quicken the motion of our planet. For this solution, nothing is adequate but the application of Natural Laws by wice and far-seeing men.

Natural Law is the principle of order inherent in all created things, and must be comprehended and obeyed to bring about the realization of harmony. Latent in man are natural laws that can be roused to activity for the accomplishment of social order. First is the tendency to the formation of groups. This law is universal, and presents a special instance of the law of attraction of the teward like, which in its full action furnishes the key to the organisation if industry. The kingdones of Nature are divided and subdivided into roops and series-that is, into classes orders genera, species, varieties. The discovery of this universal division into groups and series was the inauguration of science. The perception of this graduated natural order is science. No higher discovery has been made than that human industry, in order to attain its natural and perfect development must be organized in compact series and voluntary groups in correspondence with the natural hingdoms, in conformity with the principle of serial order that pervades the universe.

Let us endeavor to give this great law scope upon the daily variegated activity of man. Suppose they that the two thousand mes and women and childrenthat the two thousand men and new children may be for at a much earlier age than now children may be icyous productive workers, and as such be all thorough-ity educated, which no child is or can be now—suppose, that instead of each one setting about singly, as is mostly the case, his or her monotorus and often en mostly the case, his or her monotonous and often en-

as we have supposed, congregated under one roofas we have supposed, congregated under one roof-bi-taks up in the morning into num-rous companies according to aptitudes and preferences; crowds to the gardete, grouping themselves there by dozens or scores, each group at a separate part of the various garden-culture; crowds to the larger fields; crowds to the mechanical and manufacturing workshops; crowds to the kitchen and to the household work. Hereby is a partial, but still a very partial satisfaction given to the law of attraction. All betake themselves to a kind of work they like, and go about it in company, in groups. This is much; but with only this work is still very far from being organized. With the whole field of work open before them, with all facilities and conveniences and tools at hand, there is not one of the two thousand who will not be attracted toward several kinds of work, and where there is versatility of nature, two thousand was win where there is versatility of nature, kinds of work, and where there is versatility of nature, toward a dezen or more kinds. Besides, many will be drawn to departments, for which they have no expe-dential for the sympathy with cial preference, by affection for, by sympathy with others; for, a truly organic law of human association will and must open a field for a much fuller and purer play of all the effections, as well as of the intellectual faculties, then the

aculties, than they now have.

It is a law of the human mind, morover, that change of employment is essential to the most effective action. After a few hours' unbroken work at one particular occupation, the zest with which it was at first pursued is abated. Simply by working in company then, the natural law is but fractionally obeyed. Another step is necessary to transform monotony into diversity, weariness into a acrity, and slavery into freedom. This is the dissolution of the groups at moderate intervals when every individual member of each becomes member of another group, engaging in a different employment with different fellow workers. Thus every man, woman and child wilt have wrought during one day in several different spheres of industry, and accoring to their respective aptitudee. A heart is thus put into the work

Of every worker for the whole day.

Corsider at this point another quality—virtue I might term it—of the human mind, to the existence of which the consciousness of every one will testify. The mind delights in producing, in shaping, in creating; whether it be a timber or a last, a poem or a hand spike; whether by digging and planting and watering, or by brush or plane or chisel—to produce, to bring to pass, to create, is always a high satisfaction. Let him but shape, erect, rear, work at what he has vecation for; let him cease the moment that his appetite is appeared (I say appetite, for under these natural, wholeseme, unforced concitions, man will literally have an appetite for work); let him work with companions congenial to him, as having the same preferences, and he will work from morn till evening, without fatigue, without heaviness, with ever-fresh test, as he passes from one group to another, from one productive process to a offerent one.

The results flowing from this adaptation of man to his vocations, this adjustment of man to Nature, of every worker for the whole day.

his vocations, this adjustment of man to Nature, are too vast even to be conceived of by the imagination. He will thus come into the enjoyment of his great heritage, the wealth of his inexhaustible faculties. Work, in its myriad forms, will be a universal joy. Every human being will be free to exercise his genius in the pursuits of useful industry. Birth, accident, necessity, will no longer force on a man his occupation. His natural aptitudes, preferences, attractions, will give him an ample variefy of pursuits. He will work, not like selave, at the will of another, but like a man possessing himself.

But there are difficulties in the way of giving practical embodiment to the natural laws of social and industrial association. This no one will deny. An enterprise involving radical changes in society, fraught with sublime consequences, must be mor difficult to inaugurate than a bank or a railroad. The difficulties, too, are of an obstinate character, growing not only out of prejudice and ignorance, but out of the slowness with which principles so large and new are accepted, even by broad and liberal mirds. But though admitted to be difficult, the work is not impracticable or Utopian.

calt, the work is not impracticable or Utopian.

Utopia is a dream-life, reared in the waking brain by man's imagination; and every such fabric, the off spring of hun an invention, is and must ever be unanbstantial, baseless as a phantasm. In aiming to compass such solid results by such method, the mind works awry, cut of the plane of its orbit; therefore idly, unprofitably. No imaginative fertility, no constructive ingeneity, were adequate of itself, to give birth to a substantial, organic, social creation. Summon the most comprehensive, creative minds the earth has known, to work, not singly but in unison, the minds of Pante, of Shakespeare, of Kepler, of Leonardo da Vinci, of Bacon, of Goethe, conceive them in thoughtful conclave, their combined intellect and genius earnestly busied with the vast problem of recasting human society; even their transcendant mental resources nearly busied with the vast problem of recasing numan seciety; even their transcendant mental resources united could not, by mere inventive skill, come near to the solution, could not produce a tithe of the solid equipoised proportions, the beauty and the grandeur displayed in the picture given by Fourier of the new seciety. Fourier, like any one or all of them together, was utterly incompetent to invent, to draw out of his imagination, these proportions and harmonies; but the law of human association once by him discovered, from that they all flow with a profusion and strength and symmetry, by the side of which the imaginations of the greatest poets are loose and palid.

Thus the socialist rejects all expedients, all one sided measures, all the temporary provisions of human legislators, and takes his stand on solid, unchangeable, everlasting, divine law. Every province of life, in his view, bears within itself inherent laws, sufficient if scientifically appreciated and obeyed for its government, and through

which laws the will of the Deity is manifested. Not arrogantly and profanely would be strive to re make man, to undo the work of God, to remoid the nature of humanity, suppressing its instincts, crushing its impulses: thereby deforming the beauty of nature, maining its integrity, falsifying truth. The socialist recognizes and accepts God's facts, and k with them and in them. He would units high reason to Christian love, concentrating their com-bined beams into a focus so intense that a warm cleans-ing fire shall be lighted on the universal hearth of hu-manity, con-uming all poverty and crime, and fusing all hostile classes into cooperative harmony. This is the faith of the socialist; a faith deeper firmer.

This is the faith of the socialist, a faith deeper firmer, higher, than any other man has—a faith ab olute and unconditis nai in the wisdom and goodness of God; not a hollow, vague, traditional, verbal faith, but a living, fresh, coreial faith, verified and sauctified by faith in n.an. This is the science of the socialist, built of the intuitions of genius confirmed by logic—a science inspired by faith, a faith feat by science, and in heir union potent to remove mountains, the mountains f misery and vice that weigh on Christendom.

It will be seen from our copious summary of Mr. Calvert's work-much of which is in his own elequent language-that it is the production not only of an earness, and contemplative mind, but of one thoroughly penetrated with a sense of existing social anemalies, and with confidence in the applicarion of the Divine Law as an effectual remedy. We heartily recommend the volume as a lucid and compact view of the of the prominent forms of medon Secialism. With a wise discriminatoe, it illustrates these discoveries of Charles Fourier which relate to the organization of industry, without dwelling on the fanciful speculations which give many portions of his writings the air of a philosophical romance. At the same time, the volume is strengly marked by the individuality of the writer. It bears the clear and luminous impress of his own mind, and in the stringency of its logic and the apiness of its illustrations, merits high praise as an original production.

THE BISE AND PROGRESS OF THE ENGLISH CON-STITUTION. By E. G. CREAST, M. A. 12ma, pp. 350. U. applique à Co.

The gradual development of the principles of the English Constitution is here illustrated by Professor Creasy, without reference to the political differ noes of the Conservative and Liberal parties. The state of society at the commencement of his exposition is set forth in striking centrast with the present condition of the English people. At the origin of the English Constitution, the nation consisted of not more than two milion people, one half of whom were in a state of seridom, while the other half, composing the freemen of the land, were divided into the beronisi chief-

tains, each surrounded with his band of armed retainere and dependents-into smaller tandowners, equal in birth but interior in possession to the great nobilityinto the yeomanry, with still less landed propertyand into citizens and burgersee, who were beginning to revive the old Roman system of municipal self government, and to quicken the spirit of commercial enterprise. The Constitution, which was framed for that ill-assorted population, has expanded with the expanse of civilization, and, preserving all its primary attributes, has become the Government of the mighty nation, the influence of whose institutions extends to every region of the world. In the well-digested statements of this volume the reader will find an ample illustration of the growth of constitutional liberty, with valuable incidental rotices of the social and don cetic condition of the English people in the different centuries since the Norman conquest.

THE LAST SEVEN YEARS OF THE LIFE OF HENRY CLAY. By CALVIN COLTON, LL.D. BTO. pp. 504. A. S. Barnes & Co.

In the original biography of Henry Clay by the editor of this volume, the life of the great states-man is brought down to the end of the Presidential campaign of 1844. As a complement to that work, a condensed chapter was added in 1854, relating the life of Mr. Clay from 1844 to the time of his death, which took place in 1852. The volume now issued embraces a period of signal importance in the political career of its subject. It presents a comprehensive survey of Mr. Clay's opinions and measures in relation to the extension of Slavery, his action on the Compromise bill of 1850, and his relation to the Whig party during the letter years of his life. Abundant materials for the volume are found in Mr. Clay's Speeches and Correspondence, and free use has been made of them in its composition.

THE EARNEST MAN. A SKETCH OF THE CHARACTER AND LABORS OF ADONEAN SCHOOL By Mrs. H. C. Co-MANT. 12mo., pp. 408. Boston: Phillips, Sampson & Co. New-York: Sheldon, Blakeman & Co.

In preparing this volume, Mrs. Conant has made use not only of the rich collection of materials furn shee is Dr. Wayland's elaborate memoir, but of a great mass of letters, journals, public addresses, and special works connected with the subject. The late Dr. Judsen well deserved the reputation of a religious hero, in which character his memory will be treasured up by future generations. Few men in any aphere of action have ever exhibited a more salient individuality, or sore sincerity and carnestness of purpose throughout oingularly varied and perilous career. His story is related in this volume with simplicity and feeling, and will be heartily welcomed by the religious public as an able and appropriate memorial of one whose biography is as rich in suggestion, as his life was unworldly and disinterested.

ELEMENTS OF THEOLOGY. By the Rev LUTRER LEE Svc., 19, 580. Miller, Orton & Mulligan.

In the opinion of the author of this work, Theology is a progressive study, conversant not with the true science of divine things, but only with human conceptions in regard to them, and hence presenting differen aspects at different times, and demanding a mode of treatment in accordance with the habits and ideas of the current age. The present volume has been prepared with a view to meeting the wants of the day by ts discussion of questions that possess an immediate and vital interest. Avoiding the extremes of high Calvinism and Pelagianism, it sets forth the medium where "true Gospel salvation is found at the point of union between divine and human agency." It is intended for the great mass of religious readers, though with special reference to the advantage of young clergymen and theological students.

WORTH AND WEALTH. A COLLECTION OF MAXIMS, MORALS AND MISCELLAMIES FOR MERCHANTS AND MEN OF BUSINESS. By FRREMAN HUNT. 12mo. pp. 504. Stringer & Townsend.

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Abijah Menn, Sther of Abijah Mann, jr., died at Balavia, N. Y., a few days since, at the age of 95.

MR. RUGGLES'S REPORT

LEGAL CUSTODY OF THE DEAD.

From The New York Observer.

In 1823, the Corporation of the City of New York, in certain legal proceedings for widening Beckman street, from Para-row to Nassau street, foods a cortion of the cemetry of the Brick Presbyterian Church. The land these takes embraced twelve private wults for interment, and about eighty graves, and the sum awarded for it was \$22 000.

The Supreme Court referred it to Samuel B. Ruggies, see, as Referred to assertion and report the persons legally entitled to receive that sum, with the grount of the opinion. His report, pre-ented in March, 1836, invest gated at length the respective claims of the Church, of the vanitowners, and of the univial claiming a legal interest in the graves. Moses share each had been buried in one of them, in 1804, but his remains having hear duly identified by his daugher. Mrs. Maria Smith, as claimed the legal right to their custody, and to be indemnified out of the fund for the expense of re-interring them in a separate grave.

claimed the legal rigot to their custody, and to be indemnified out of the fund for the expense of re-interring them in a separate grave.

The report, after carefully analyzing the elements of pecuniary subterrained in a vanit, distinguishing between the pacific of the control of the sentract, and the allowing after with interest for each of the twelve vanits, awarded slip to Maria Smith for the expense of reinterring her father. The legal conclusions of the report were elaborately discussed before the Maria Smith for the expense of reinterring her father. The legal conclusions of the report were elaborately discussed before the Court by Mesers. Bidwell, Chatfield and other emissate coursel, but the section of the Referre was confirmed inallies species by Judge Davies, in his opinion delivered in April 188, which will appear in due course in the published adjuditationa. The portion of Mr. Rugules' Report, which examines the interesting and nevel question of the legal right in a grave, involves consequences so wide-spread and important, that we publish it entire for the information of the publis.

It is certainly a cause of congravulation that the reference of this matter was made to one whose learning, nates and distribution in the constitution of the case. The Hon. Samuel B. Ruggles, the sation of the opinion, has brought to its consideration as wealth of illustration and authority, together with such powers of analysis and application, as to make the pounts in the case clearly appears and the conclusions to which he comes obviously such as the soundest law and the dictairs of entitylatened resans and true human feeling demand. We are all debrors to Mr. Rugder for this luminous, cloquent and erusine paper, not less creditation to the consideration and subcurity and public, and the carefular to the legal report of the law of the same residuation to which he comes obviously such as the soundest law and the dictair of entitylatened resans and true human feeling demand. We are all debrors to Mr. Rugder for this lu

EXTRACT FROM THE REPORT.

The remaining question upon which the order of the Court requires the undersigned to report his opinion, s the following:

Is the claimant, Maria Smith, entitled to payment ut of the said fund, for the expenses of re-interring the emains of her father, Moses Sherwood, whose grave was taken away in widening the street, or to damages or disturbing the grave ?

The proper disposal of this question by this Court will be important, not so much in the pecuniary smount involved in the present instance, as in furuishing a rule for other cases where cometeries may be disturbed, either by their proprietors or by public

amount involved in the present instance, as infuruishing a rule for other cases where cometeries may
be disturbed, either by their proprietors or by public
authority. It broadly presents the general question,
which does not appear to be distinctly settled in this
State: Who is legally and primarily entitled to the
custedy of a dead body! and, as a necessary result,
Who is legally bound to bury it? and, farther, if a
body be ejected from its place of burial, Who, then, is
legally and primarily entitled to its custody, and who
is bound to rebury it?

The widening of Beckman street by the Corporation
of New York, ren oved every building and other impediment which stood in its way. Among them was
the grave, the "domus ultima" of Moses Sheetwool,
over which a marble tombstone, inscribed with its
name, had been standing more than fifty years. His
skull and bones, and portions of his grave clothing,
were found lying in his grave. Mad any one any legal
interest in that grave, or any right to preserve the repose of its occupant? or any legal interest in the monment, or right to preserve its repose? Do these rights
come within the legal denomination of "private prop"city," which the Constitution forbids to be taken for
public use without just compensation?

Property has been concisely defined to be, "the
"highest right a man can have to a thing." If akstone spreads out the definition into the "sole and er"clusive dominion which one man claims and exercise
"over the external things of the world, in total exclu"solo of the right of any other individual in the mai"verse." 2 Black. Comm. 2.

The thirgs which may thus be exclusively appropriated, and thereby made "private property," are not
confined to targible or visible objects, for light and air
ser "property," and belong exclusively appropriated, and thereby made "private property," are not
confined to targible or visible objects, for light and air
ser "property," and belong exclusively to be occupant so long as he has possession. The right to the
more

and the State, forming one composite system, has materially narrowed the powers and the action of the courts of common law. It is believed that an atleative examination of the history of this division of judicial power will show that it is wholly peculiarts England, and that the decisions and dicta of the courts and legal writers on this subject, ought not to exert any controlling influence over our legal to

In surveying the various changes in the organise In surveying the various changes in the organistion and powers of the British courts of justice, produced successively by the Roman, Saxon and Norms conquests, it is difficult to fix with precision the pend when the judicial authority began to be divided between the State and the Church. Christianity his made some progress in Britain while yet remaining is der the Roman power, but does not appear to have uningled itself materially with the governmental similaritation. The Saxon conquerors, who successed the Roman in the fifth century, brought in Pagains for about 150 years; but it was extirpated about the ministation. The Saxon conquerors, who successors the Roman in the fifth century, brought in Pagasian for about 150 years; but it was extirpated about the close of the sixth century by the vigor of St. Augusta, under the pontificate of thegory the Great. It is quite apparent that the clear-sighted incumbents of the Holy Sec, by that time, had perceived in the burisl of the dead a very important and desirable element of spiritual dominion. It was the sagacity not less than the piety of that distinguished pontiff which led him is introduce the custom of burial in churches, to the ead, as he declared, that the relatives and friends of the dead might be induced more frequently to pray for their repose. Occasional interments in places of weaking or their immectate vicinity had indeed been made by the early Christians, as far back as the reign of Gregory, and the rapid increase by his successors of the temporal power of the Church, that burds-grounds were generally attached to places of worship, and subjected by formal consecration to ecclesiastical asterity.

The ignidical history of the Romish Church in Earling the consecration is the characterial as the reign of the places of worship, and subjected by formal consecration to ecclesiastical asterity.

The juridical history of the Romish Church is Es gland, from the sixth century to the thirteenth, es-bibits its earnest efforts and its steady and all but us interrupted progress, not only in strengthe proper spiritual power, but in obtaining the proper spiritual power, but in obtaining the exclusive temporal, judicial coguizance of all matters touching the exclusivate all chickes and their appendages, and especially their places of burial. During that period, the office of sepultare, originally only a secular duty, came to be regarded as a spiritual function—so much so that the secular courte, in the cases as early as the 20th and 21st Edward I. cited in 2 Inst. 303, in determining whether or not a building was a church, inquired only whether it had sacraments and sepultare. It is generally stated that burial in church-yacle ass

quired only whether it had sacraments and separate. It is generally stated that burial in church-yards as introduced into England by Cullbert, Archbashs of Cartenbury, in the year 750. The form of their consecution is even yet preserved, in some of its essential feature, by the Established Church. The investion as given by Burns in his Ecclesiastical Lim, I vol. \$1.34, after coloring that the duty has been taught \$1.34, after coloring that the duty has been taught \$1.34, after coloring that the duty has been taught \$1.34, after coloring that the duty has been taught \$1.34, after coloring that the duty has been taught \$1.34, after coloring the pervants, in all signs, to said "places where the bodies of the saints may rest in "passe and be preserved from all indignities," asks the Divine acceptance "of the obstituble work in Separating the portion of ground to that good parpose."

The sagacious policy of the Romish ecclesiatios, in The sagacious policy of the Romish ecclesiastics, in attaching the place of interment to the church, was attaching the place of interment to the church, was attaching the place of interment to the church, was attaching the place of interment to the church, was berial. To repose in any but consecrated earth, so came to be ignominious; and thus the church-yardbecame to be ignominious; and thus the church-yardbecame a vital portion of the material machinery for so for ing spiritual obedience and theological conforming. Nor was the power neglected. It governed Easy for several hundred years; and it was but shortly before the Protestant Reformation in England, that Tracy, being publicly accused, in convocation, of ing expressed heretical sentiments on his will, and ing found guilty, a commission was issued to dig be body, which was done accordingly. I Barns, the power of the clergy over the dead was togather the power of the clergy over the dead was togather the power of the clergy over the dead was togather chick, by uniting the lay with the cieried order accelerated coon after the Norman conquest, and seffect upon the dead is plainly discernible.